# INSIDER THREAT:
# PREVENTING DIRECT ACTION ATTACKS WITHIN THE UNITED STATED ARMY

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Although relatively rare in occurrence, direct action attacks carried out by insider threats against fellow Soldiers have a significant impact on both the psyche of the Soldiers, families, and units involved as well as US Army counterterrorism education and training programs. In almost every instance of violence carried out by an insider threat, the attacker displayed warnings and indicators prior to conducting the attack. One of the biggest challenges to preventing insider attacks is receiving and recognizing reliable tips from those who know the attacker prior to an attack. This thesis studies current Army doctrine and regulations to identify the elements of its education of Soldiers to recognize threats, options available to commanders with insider threats in their formations, and more importantly, how to best compel Soldiers to report suspicious activities and behaviors.

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

INSIDER THREAT: PREVENTING DIRECT ACTION ATTACKS WITHIN THE UNITED STATES ARMY, by Major Paul T. Deming, 92 pages.

Although relatively rare in occurrence, direct action attacks carried out by insider threats against fellow Soldiers have a significant impact on both the psyche of the Soldiers, families, and units involved as well as US Army counterterrorism education and training programs. In almost every instance of violence carried out by an insider threat, the attacker displayed warnings and indicators prior to conducting the attack. One of the biggest challenges to preventing insider attacks is receiving and recognizing reliable tips from those who know the attacker prior to an attack. This thesis studies current Army doctrine and regulations to identify the elements of its education of Soldiers to recognize threats, options available to commanders with insider threats in their formations, and more importantly, how to best compel Soldiers to report suspicious activities and behaviors.

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ACRONYMS

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|---|---|
| AR | Army Regulation |
| CI | Counterintelligence |
| CID | Criminal Investigation Division |
| DA | Department of the Army |
| DOD | Department of Defense |
| DODI | Department of Defense Instruction |
| DOTMLPF-P | Doctrine, Organization, Training, Materiel, Leadership, Personnel, Facilities, and Policy |
| EO | Equal Opportunity |
| FBI | Federal Bureau of Investigation |
| GEN | General (Army rank, O-10) |
| HIPAA | Health Insurance Portability and Accountability Act of 1996 |
| INSCOM | Intelligence and Security Command |
| ITO | International Terrorist Organization |
| JPAS | Joint Personnel Adjudication System |
| MAJ | Major |
| MCM | Military Manual for Courts-Martial |
| NCIS | Naval Criminal Investigative Service |
| NCO | Noncommissioned Officer |
| OER | Officer Evaluation Report |
| OSI | Office of Special Investigations |
| PCS | Permanent Change of Station |
| PMO | Provost Marshall's Office |

| | |
|---|---|
| POSH | Prevention of Sexual Harassment |
| R2C | Ready and Resilient Campaign |
| SAEDA | Subversion and Espionage Directed Against the US Army |
| SBT | Stand Alone Briefing Tool |
| SGT | Sergeant |
| SHARP | Sexual Harassment/Assault Response Program |
| TARP | Threat Awareness and Reporting Program |
| UCMJ | Uniformed Code of Military Justice |
| US | United States |
| USA | United States Army |
| USC | United States Code |
| USUHS | Uniformed Services University of the Health Sciences |

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# CHAPTER 1

# INTRODUCTION

> Hasan's ideology conflicted with standard military obligations, and his repeated statements that he could not support combat against enemies of this country because they shared his religious beliefs demonstrated that he did not belong in the United States military.
>
> — GEN Jack Keane, USA, Retired
> *A Ticking Time Bomb*

In October 1995, US Army Sergeant (SGT) William Kreutzer, a member of the 82nd Airborne Division stationed at Fort Bragg, North Carolina, opened fire on a morning physical training formation of 1300 Soldiers with two semi-automatic rifles. Unarmed members of that formation were able to subdue the shooter, but not before he left one dead and an additional seventeen other Soldiers wounded. In November 2009, US Army Major Nidal Malik Hasan, a psychiatrist assigned to Fort Hood, Texas, entered the Fort Hood Soldier Readiness Center and opened fire with a FN Herstal Five-Seven pistol, killing thirteen and wounding an additional thirty-two before law enforcement could stop him. In both of these cases, the perpetrators displayed several threat indicators that if acted upon could have allowed authorities to prevent these attacks. After action reports and investigations following each of these events all show that people who knew the attackers were well aware of extremist or violent tendencies, but either dismissed the indicators or failed to report.

## Purpose

Although relatively rare, insider threat events still occur in US Army formations. Based upon these actions many actions could and should take place. These threats take

away from readiness and require commanders and units to ensure all mitigation measures take place to prevent or reduce the effects of these insider threat direct action attacks. This thesis will use the findings from case studies of past direct action attacks to propose training recommendations that would compel soldiers who witness indicators to report.

## Proposed Research Question

In order to help law enforcement, commanders, and the intelligence community to prevent insider threats from developing into direct action attacks, this study sought to answer the question: How does the Army compel Soldiers to report suspicious activity associated with insider threats? In addition, secondary research questions include: What are the Threat Awareness and Reporting Program's (TARP) goals, and what should it provide? Does the Army's mandatory TARP training effectively prevent direct action attacks by insider threats? What actions are available to commanders who identify potential insider threats within their organizations?

## Importance

Although the numbers of casualties inflicted by insider threats are relatively small when compared to combat casualties or other threats to service members, such as vehicular accidents, direct action attacks against unarmed Soldiers carried out by their comrades have a significant impact on the sense of security of personnel on a military installation. Preventing an insider threat attack is a daunting task to law enforcement, commanders, and the intelligence community, as it is extremely difficult in most circumstances to identify would-be attackers without the help of fellow Soldiers reporting suspicious activity. Even then, would-be attackers often do not break any laws prior to

actually conducting the attack, so what is the proper response when the military chain of command and law enforcement actually do receive indications of a threat within their formations?

## Assumptions

First, insider threat direct action attacks are typically a result of a lone perpetrator who for one reason or another feels ostracized by the chain of command and/or their peers for their personal beliefs. Historically, there are several events over time that drive the attacker to gradually come to the point where they are willing to carry out an attack. Next, this study assumed that Soldiers and commanders are reluctant to act on suspicions when they notice violent tendencies because they are either afraid of offending certain beliefs or because they do not take the threats seriously. The Army trains extensively on religious freedoms, Equal Opportunity (EO), and rights of Soldiers to express their beliefs, but does not adequately train Soldiers to recognize when these freedoms of speech overstep their bounds and are actually threats to the good order and discipline, or even physical safety, of a unit.

The last assumption builds on the previous assumption that soldiers are not properly trained to recognize and report insider threats. This assumption is that more training can successfully to reduce attacks. This training should focus on two areas. First, soldiers and commanders need training to recognize when potential insider threats are marginalized within their organizations, and how they can bring these soldiers back into the fold. If soldiers are accepted for who they are and brought into the cohesiveness of a team, they will be less likely to feel the need to commit an act of violence against their

peers. Second, training can help compel soldiers to report suspicious behavior to their command or proper authorities.

## Operational Definition of Key Terms

### Insider Threat Defined

The insider threats referenced in this study are narrowly focused on persons who are US service members or DOD employees who plan or carry out direct action attacks on fellow Soldiers and DOD employees with the intent to inflict loss of life through violent means. This definition does not match up exactly with the official Army definition of insider threat, which is broader in its description.

The official Army definition of an insider threat comes from Army Regulation 381-12, Threat Awareness and Reporting Program. According to TARP, an insider threat is a person with placement and access who intentionally causes loss or degradation of resources or capabilities or compromises the ability of an organization to accomplish its mission through espionage, providing support to international terrorism, or the unauthorized release or disclosure of information about the plans and intentions of US military forces. There are two main issues with the Army's official definition. First, it primarily focuses on espionage and the unauthorized release of information. Second, the part that addresses terrorist type direct action attacks specifically ties the act to international terrorism. While this may be true in some cases, not all direct action attacks have clearly defined ties to international terrorist organizations (ITOs). These types of activities fall into the next two key terms.

## Extremist Activity Defined

According to AR 381-12, extremist activity is defined as an activity that involves the use of unlawful violence or the threat of unlawful violence directed against the Army, DOD, or the United States based on political, ideological, or religious tenets, principles, or beliefs. While this definition fits with the Nidal Hasan case study, it still does not address the William Kreutzer shooting that took place in 1995.

## Threat Defined

TARP's definition of a threat is a little broader than its definitions of insider threat and extremist activity. According to AR 381-12, a threat is described as the activities of foreign intelligence services, foreign adversaries, ITOs, or extremists that may pose a danger to the Army, DOD, or the United States; any person with access to Soldiers, DOD installations, and facilities who may be positioned to compromise the ability of a unit to accomplish its mission where there is evidence to indicate that he may be acting on behalf of or in support of foreign intelligence, foreign adversaries, international terrorists, or extremist causes (insider threat).

## Terrorism Defined

According to AR 381-12, terrorism is defined as the calculated use of violence or threat of violence to inculcate fear, intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. Terrorism according to this definition differs from workplace violence. In the case of the Fort Hood shootings of 2009, the ties to Islamic extremism and a known international terrorist classify that attack as a terrorist attack. In the Fort Bragg shootings of 1995,

there were no known political, religious, or ideological ties, which would not classify that attack as an act of terrorism. However, since the perpetrator was a soldier who attacked other soldiers, both cases do classify as insider threats.

## Targeted Violence Defined

For the purpose of this study, this thesis will use the definition used in the 2014 DOD Defense Science Board Task Force Report: Predicting Violent Behavior. According to the report, targeted violence is pre-meditated attacks against specific individuals, populations, or facilities with perpetrators engaged in behaviors that precede and are related to their attacks. Perpetrators of targeted violence consider, plan, and prepare before engaging in acts of violence. Planning and preparation steps are often detectable, providing an opportunity for disruption of intended violence. These perpetrators feel that they are not valued/validated and are singled out. They subsequently feel that organizations or specific people are out to get them. There is a shift from self-defense to self-preservation and thus a need to destroy the individuals, populations, or the organizational representatives that they feel wants to destroy them. Violence is then viewed as an option and the progression from ideation to attack begins. Targeted violence motivators are not limited to a single cause (e.g. a particular religious, financial, racial, or social outlook).

## Scope

The information obtained in the conduct of research for this thesis derived from current Army doctrine, congressional reports, court cases, and case studies. In order to assess the scope of the problem and identify answers to the research questions, this study

conducted a literature review of the available research. This thesis seeks to achieve three goals: (1) Identify current Army policies and regulations regarding TARP education of the force, (2) Identify all available options to commanders and supervisors who have high-risk Soldiers within their formations, and (3) Make recommendations toward improving how the Army compels Soldiers to report suspicious behaviors and activities to the proper authorities.

## Limitations

The primary limitation is the time available to conduct research. There are multiple sources of research material available on the subject, much of which will be discussed in the next chapter of this study. These sources of information range from current and past Army doctrine, after action reports, congressional hearings, military journal articles, and case studies. Given more time, it would be possible to delve deeper into the topic and potentially develop additional research findings.

In addition, use of secondary source material due to lack of access to law enforcement original reports limits the amount of first-hand knowledge available for research. Specifically for the case studies, the majority of information is derived from US Senate hearings or other case studies written by second-hand sources. Actual interviews of witnesses or others involved in the cases were not available to the researcher.

## Delimitations

Although there are many cases where insider threats conducted targeted violence within the United States, this study focused solely on cases where a US Army Soldier attacked fellow Soldiers. For the purposes of this study, plots against US service

members carried out by civilians or civilian on civilian attacks were not considered. The reason for this is to focus specifically on what steps the Army needs to take in order to counter insider threats within its own organization. However, narrowing the scope of the case studies does not go without implications.

The use of only two case studies may provide a challenge to the findings of the research. First, there is only a limited amount of information available to the specific cases of insider threat the author chose to research. Second, as stated before, the information available concerning these two case studies is limited to second or third-hand knowledge of the incidents. Without reading first-hand reports, some of the details of the cases could potentially be missed by the author. Currently, TARP training is only conducted annually. With proper reinforcement and multiple training events per year, Soldiers could be less likely to keep reporting as an afterthought.

## Significance of Study

Direct action attacks carried out by insider threats have a psychological impact on units across the force. Although they are relatively rare, the ramifications to Army doctrine and training are significant. This study intends to highlight some of the vulnerabilities in current Army insider threat doctrine and identify the reasons service members are hesitant to report suspicious activity to their commanders, law enforcement, and intelligence services. Upon examination of the research findings, this study will propose some solutions to increase reporting, thereby reducing the number of attacks.

## Chapter Summary

This thesis examines the primary research question: How does the Army compel Soldiers to report suspicious activity associated with insider threats? Secondary research questions are as follows:

1. What are the Threat Awareness and Reporting Program's (TARP) goals, and what should it provide?
2. Does the Army's mandatory TARP training effectively prevent direct action attacks by insider threats?
3. What actions are available to commanders who identify potential insider threats within their organizations?

As an initial research hypothesis the author proposes that: current TARP training is not sufficient to properly educate Soldiers to report indicators of insider threats and commanders do not understand the options that are available to them when they have high-risk Soldiers within their formations.

Chapter 2 will review the literature on this topic and provide an assessment of its significance to this thesis. It will be followed by an explanation of the methodology, and the subsequent chapters will examine Army doctrine and two case studies, in detail. The conclusion of this project will provide recommendations on improved implementation of TARP.

# CHAPTER 2

# LITERATURE REVIEW

## Chapter Introduction

This chapter focuses on the available literature on insider threats, as well as the Army's doctrine on countering insider threat. The primary research question this study intends to answer is: How does the Army compel Soldiers to report suspicious activity? In addition, secondary research questions include: Does the Army's mandatory Threat Awareness and Reporting Program (TARP) training effectively prevent direct action by insider threats? What are TARP's goals, and what should it provide?

This literature is structured in accordance with the three primary sections of the study. First, this thesis examines two case studies where US Army Soldiers conducted targeted violence against their fellow Soldiers. This section looks at the attackers' motivations, indicators they presented prior to the attacks, and reasons these attacks were not prevented. Second, the literature review looks into the Army's insider threat education and reporting program, or TARP, as well as any other formalized education for cultural understanding. Third, the study delved into Army policies and regulations regarding options currently available to commanders with identified high risk Soldiers in their formations. This includes limitations on information sharing and general understanding of the Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and organizational constructs that limit information sharing among different commands and agencies. It also includes research into command policy to identify all available options to commanders such as disciplinary actions, administrative options, and external support from outside organizations.

In order to focus the study specifically on insider threats pertaining to targeted violence, this literature review does not include information pertaining to cases involving espionage or the release of information about plans and intentions of US military forces. Although TARP covers a broad range of insider threats, this thesis deals with the sections that involve terrorist actions and targeted violence. The literature reviewed is not limited in scope to insider threats with ties to a foreign nexus, nor is it limited to insider threats that could be classified as terrorists. This study looked at all insider threats to US Army personnel, regardless of the attacker's motivations for conducting the attacks.

## Case Studies

For the two insider threat cases considered in this study, the majority of available literature consists of US Government investigative after action reports and court hearing transcripts. These reports provided background information on the perpetrators and attacks, indicators the perpetrators displayed prior to the attacks, and shortfalls in intelligence and law enforcement agencies in identifying the threats prior to the attacks. These reports identify that in both cases key indicators were either seen and not reported, reported and not developed by law enforcement, or known to commanders or law enforcement yet not acted upon.

In regards to missing information in the case studies the author sought to identify, there are two main areas of focus. First, the researcher did not have access to original law enforcement and intelligence reports. Therefore, all information obtained during the conduct of research was through second or third-party information. Access to first-hand information could possibly provide further context into the attacks and provide information regarding the command relationships and other factors involving the

attackers. Second, although the available information pertaining to the two case studies provided significant information concerning the attacks and the events leading up to the attack, neither case study addresses the author's primary question, how to best compel Soldiers to report. This research adds to the body of knowledge by adding recommendations toward prevention of future attacks to the current analysis of past attacks.

## Fort Bragg, 1995

At 0631 on 27 October 1995, Army Sergeant (SGT) William Kreutzer, Jr. opened fire on a 2nd Brigade, 82nd Airborne Division formation preparing for a brigade run from a nearby wood line. Armed with two semi-automatic rifles, two pistols, a knife, and nearly 900 rounds of ammunition, he methodically wounded eighteen Soldiers and killed one. The death toll could have been much worse if not for the heroic actions of several unarmed Soldiers, who upon hearing the shots, rushed the attacker and subdued him until law enforcement arrived on the scene.[1]

SGT Kreutzer's attack on fellow members of his unit was not a spontaneous act. The Army's failure to recognize Kreutzer as a potential insider threat could be identified as early as three years prior to the attack during his service with the Long Range Surveillance Company in the XVIII Airborne Corps from August 1992 to March 1993. During this time, he told one Soldier, "One of these days I am going to kill somebody."[2]

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[1] *United States* v. *Sergeant William J. Kreutzer, Jr.*, Army 9601044 United States Army Court of Criminal Appeals (11 March 2004), 23-24.

[2] Ibid., 20.

Kreutzer also expressed a desire to form a sniper team to kill the President. In addition to these violent remarks, Kreutzer's performance as a Soldier was mediocre at best, which led to a reassignment to A Company, 4th Battalion, 325th Airborne Infantry Regiment, 82nd Airborne Division.[3]

During a six month deployment to the Sinai Peninsula in Egypt, Kreutzer's mental health deteriorated considerably. His relative inexperience as a Soldier and his perceived strange personality led to problems between him and members of his unit. Kreutzer became the butt of several practical jokes and teasing, which angered him to the point of fantasizing out loud about killing some of his squad members. In June 1994, Kreutzer told another Soldier in his platoon that he intended to get an automatic weapon and "hose down the enlisted barracks."[4] As a result of these outbursts, his fellow Soldiers thought he was crazy and referred to him as "Crazy Kreutzer," "Hannibal Lector," and "Psycho."[5] Following another incident, Kreutzer's platoon sergeant talked to him about his statements and behavior, in which Kreutzer stated he "Was so frustrated with the situation he had been thinking about shooting the members of his team."[6]

Following the discussion with his platoon sergeant, Kreutzer's chain of command removed him from his position, denied him access to weapons, and command referred him to seek mental health. After two meetings with the division mental health officer, it

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[3] *United States* v. *Kreutzer,* 20.

[4] Ibid., 21.

[5] Ibid.

[6] Ibid.

was determined that Kreutzer had "problems with anger and interpersonal relationships, poor coping skills, and low self-esteem, but that he was not a danger to others."[7] Following the deployment to the Sinai, Kreutzer met with the behavioral health officer once more and declined further counseling, which closed the case. Although the mental health case was closed, perceptions of his fellow Soldiers remained skeptical. One lieutenant even joked that "Perhaps one day in the future we would see him in a McDonalds blowing people away."[8]

Despite the ample documented cases of violent tendencies, Kreutzer's chain of command elevated him to acting squad leader following successful attendance to the Primary Leadership Development Course in October 1994. By March 1995, Kreutzer was promoted to SGT and assigned as the weapons squad leader. Even in his new leadership position, fellow Soldiers did not respect him. Other noncommissioned officers (NCOs) told members of his squad not to listen to or obey Kreutzer's orders. Kreutzer's threats and obsession with weapons, war, and death earned him the new nicknames of "crazy," "Wild Bill," and "wacko."[9] This humiliation led to Kreutzer further distancing himself from other Soldiers in his unit.

By October 1995, Kreutzer began to feel increasingly stressed. His worries over his sister's injuries from a water skiing accident, new additional duties assigned to him, and a letter of reprimand over temporarily losing an M-60 machine gun barrel only added

[7] *United States* v. *Kreutzer*, 21.

[8] Ibid.

[9] Ibid., 22.

to Kreutzer's threats to kill his superiors and fellow Soldiers. This stress culminated on 26 October 1995 when SGT Kreutzer failed a key control inspection and his squad failed a packing list inspection. He decided to purchase his Soldiers' missing gear with his own money, and when doing so he concluded the Army as a whole did not care about Soldiers. It was at this point Kreutzer decided to "shoot up the run the next morning" to make others "take notice… that they weren't taking care of Soldiers."[10]

That evening, Kreutzer gathered the weapons and ammunition for the next morning's attack and spent the night at a motel instead of the barracks. At 2010, he called a member of his squad and told him not to go to the brigade run the next morning. When asked to explain why, Kreutzer told him he was going to "mow everyone down."[11] The Soldier thought Kreutzer was joking and did not take him seriously because he had previously talked about killing people. It was not until the following morning when Kreutzer did not show up for formation that the Soldier realized something was wrong.

The United Stated Army Court of Criminal Appeals, *US v. Sergeant William J. Kreutzer, Jr.* thoroughly lays out the background events leading up to the 1995 Fort Bragg shooting incident. It goes into relative depth of Kreutzer's family background and the indicators of his violent tendencies in the years prior to the attack. However, this is not the main focus of the hearing. The majority of the appeal is based on identifying the shortcomings of the defense during the trial after the attack, and to determine if the death

[10] *United States* v. *Kreutzer*, 23.

[11] Ibid.

sentence Kreutzer originally received was the appropriate sentence for the crimes he committed.

The appeal hearing breaks down the following topics into the facts involved, the law, and a follow-up discussion: denial of defense requested expert consultant in capital mitigation, ineffective assistance of counsel, and a final decision of the court. While this reference discusses the actions Kreutzer's chain of command took following each violent indicator he presented, it does not explain the command's reasoning for those actions. This reference also does not explain the options that were available to the command as a response to Kreutzer's threats.

## Fort Hood, 2009

One of the most well-known and publicized insider threat attacks in recent US history occurred on November 5, 2009 at Fort Hood, Texas. Army MAJ Nidal Malik Hasan walked into the Fort Hood deployment center armed with two handguns and began to open fire. Within a matter of minutes, thirteen DOD employees were dead and another 32 were wounded in the worst terrorist attack on US soil since September 11, 2001.

In response to this incident, the US Senate Committee on Homeland Security and Governmental Affairs launched an investigation of the events leading up to the attack with two goals. First, they assessed the information available to the US Government prior to the attack and the actions it took or failed to take in response to that information. Second, they sought to identify steps necessary to protect the US against future acts of terrorism by homegrown violent Islamic extremists. The information and analysis gained through this investigation was published in a final report on February 3, 2011 titled "A

Ticking Time Bomb: Counterterrorism Lessons Learned from the US Government's Failure to Prevent the Fort Hood Attack."

In order to fully understand the indicators of violent tendencies Nidal Hasan displayed, one must understand the self-radicalization process he went through and the beliefs of Islamic extremists. The core principles of violent Islamist extremism are the establishment of a global state – or caliphate – where the most radical interpretation of *Shari'ah* (Islamic religious law) is enforced by the government. The global Islamist community is prioritized ahead of one's community and country. In order to accomplish this, the use of violence against the West generally, military personnel, and civilians is justified. Additionally, Muslims who reject these extremist principles are also considered by violent Islamic extremists to be the enemy.[12]

The process by which an individual transitions to a violent Islamist extremist is known as radicalization.[13] The radicalization process generally consists of four phases.[14] *Pre-radicalization* is the state of an individual just prior to the start of their journey down the path of radicalization.[15] An individual's lifestyle, religion, education, social status,

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[12] Joseph I. Lieberman and Susan M. Collins, *A Ticking Time Bomb: Counterterrorism Lessons from the U.S. Government's Failure to Prevent the Fort Hood Attack* (Washington, DC: United States Senate Committee on Homeland Security and Governmental Affairs, 2011), 17, accessed 21 November 2016, https://www.hsgac.senate.gov/imo/media/doc/Fort_Hood/FortHoodReport.pdf.

[13] Ibid.

[14] Mitchell D. Silber and Arvin Bhatt, "Radicalization in the West: The Homegrown Threat," Police Department, City of New York, accessed 29 December 2016, www.sethgodin.typepad.com/seths_blog/files/NYPD_Report-Radicalization_in_the_west.pdf, 19.

[15] Ibid., 22.

neighborhood, and environment in general all influence their eventual openness to this ideology. *Self-identification* marks the point where an individual experiences a crisis or significant event that leads them to question their previously held beliefs.[16] In turn, the individual seeks answers to their grievances through a radical interpretation of Islam.

During *Indoctrination*, individuals adopt violent Islamist extremist ideology and begin to see the world as a struggle against the West.[17] This is the stage where an individual progressively intensifies his beliefs in a radical interpretation of Islam, and that the conditions and circumstances exist to support and further the cause.[18] Finally, the *Violence* stage is where individuals accept their duty to participate in jihad.[19]

Nidal Hasan graduated from Virginia Tech with an engineering degree in 1992 and entered military service in 1995. In 1997, he entered medical school at the Uniformed Services University of the Health Sciences (USUHS) and graduated in 2003. Hasan was a resident in the psychiatric program at Walter Reed Army Medical Center from 2003 to 2007, and it was here that his first signs towards violent Islamist extremism began to manifest.[20] Hasan openly questioned to classmates whether he could engage in combat against other Muslims. During the third year of his residency, Hasan's conflicts with

[16] Silber and Bhatt, 30.

[17] Lieberman and Collins, *A Ticking Time Bomb*, 18.

[18] Silber and Bhatt, 36.

[19] Ibid., 43.

[20] Lieberman and Collins, *A Ticking Time Bomb*, 28.

service obligations ripened to the point that one of his supervisors tried twice to convince him to leave the military.[21]

From 2006 to 2008 Hasan's radicalization to violent Islamist extremism came into plain view. This was the last year of his Walter Reed residency and the first year of his USUHS fellowship. One of the academic requirements for graduation from his residency was to make a presentation on psychiatric issues. Hasan chose to fulfill this requirement by giving an off-topic lecture on violent Islamist extremism. His draft presentation consisted almost entirely of references to the Koran, without a single mention of a medical or psychiatric term.[22] Hasan's draft presentation also presented extremist interpretations of the Koran as supporting grave physical harm and killing of non-Muslims.[23] He even suggested that revenge might be a defense for the terrorist attacks of September 11, 2001.[24] Hasan's superiors warned him that he needed to revise the presentation if he wanted to graduate[25] but did not take any further action.

Upon reviewing the draft presentation, the Psychiatric Residency Program Director questioned whether Hasan was fit to graduate.[26] He thought Hasan was "very

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[21] Lieberman and Collins, *A Ticking Time Bomb*, 28.

[22] Ibid.

[23] Ibid.

[24] Ibid.

[25] Ibid.

[26] Ibid.

lazy" and "a religious fanatic."[27] However, Hasan improved the presentation and received credit even through a review of the final version showed that it was still essentially a collection of Koranic verses with minimal scholarly content.[28] Hasan graduated despite the Program Director's reservations.[29] Probably the most chilling feature of both drafts of Hasan's presentation was that he stated one of the risks of having Muslim-Americans in the military was the possibility of fratricidal murder of fellow service members.[30]

Following his residency, Hasan advanced to a two year fellowship at USUHS. Under normal circumstances, Hasan never would have been accepted to the fellowship, as it was typically reserved for elite medical professionals.[31] Officers involved in the fellowship selection process recounted that Hasan was accepted into the program because he was the only Army applicant and the Army did not want to risk losing that fellowship if it was not filled.[32] Hasan told a colleague that he applied only to avoid a combat deployment to a Muslim country. Realizing Hasan's motivations, one of his supervisors warned against accepting him.[33]

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[27] Lieberman and Collins, *A Ticking Time Bomb*, 28.

[28] Ibid., 29.

[29] Ibid.

[30] Ibid.

[31] Ibid.

[32] Ibid.

[33] Ibid.

Almost immediately upon starting the fellowship, Hasan's radical beliefs became unmistakable and it was clear he embraced violent Islamist extremism. Classmates felt he had "fixed radical beliefs about fundamentalist Islam" and that he shared them "at every possible opportunity."[34] Less than a month into his fellowship in August 2007, Hasan gave another controversial off-topic presentation even more incendiary than his previous brief at Walter Reed.

Hasan's latest presentation entitled, *Is the War on Terror a War on Islam: An Islamic Perspective*, suggested that US military operations are a war against Islam rather than based on non-religious security considerations.[35] This brief was so controversial the instructor had to stop it after just two minutes when the class erupted in protest to Hasan's views.[36] The presentation also gave defense to Osama bin Laden, blamed the United States for problems in the Middle East, gave support to suicide bombing, and argued that anger at the United States is justifiable.

Following the presentation, Hasan continued overt support of violent Islamist extremism to his colleagues. He told several classmates that his religion took precedence over the US Constitution he swore to support and defend as a US military officer.[37] Hasan repeatedly made statements that US policy could lead to fratricide in the ranks.[38]

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[34] Lieberman and Collins, *A Ticking Time Bomb*, 29.

[35] Ibid.

[36] Ibid.

[37] Ibid., 30.

[38] Ibid.

These statements disturbed his classmates to the point they reported Hasan to superiors. However, it is important to note that Hasan's superiors took no action and never reported him to Army counterintelligence personnel.

Later in the fellowship, Hasan created yet another academic project based on violent Islamist extremism. Unlike the previous assignments, Hasan framed this one in clinical terms and was perceived as less controversial than his previous presentations.[39] However, this was the third project in less than a year that Hasan dedicated to violent Islamist extremist views. Despite Hasan's overt displays of radicalization to violent Islamist extremism, Hasan's superiors failed to discipline him, refer him to counterintelligence officials, or seek to discharge him.[40] Although the definitive reasons for these leadership failures are unknown, one of the officers that reported to Hasan's superiors stated that Hasan was permitted to remain in service because of "political correctness" and ignorance of religious practices.[41] That officer added that he believed that concern about potential discrimination complaints stopped some individuals from challenging Hasan.[42]

However, none of Hasan's superiors cited "political correctness" as the reason for not acting against Hasan.[43] Instead, they gave the following reasons for not acting: (1) A

[39] Lieberman and Collins, *A Ticking Time Bomb*, 30.

[40] Ibid., 31.

[41] Ibid.

[42] Ibid.

[43] Ibid.

belief that Hasan's ideological views were not problematic or were at least understandable, (2) Academic freedom and lack of academic standards, (3) A desire to preserve the USUHS fellowship by filling it with an Army applicant, (4) A belief that Hasan provided understanding of violent Islamist extremism as well as the culture and beliefs of Islam, and (5) A belief that Hasan could perform adequately in an installation with other psychiatrists to assist him.

Another area Hasan's superiors failed was proper evaluation of his performance on paper. Hasan was a chronic poor performer during his residency and fellowship.[44] His directors at both installations viewed him as a bottom 25 percent performer, and he often failed to meet basic job expectations. However, this poor performance was not accurately reflected in Hasan's Officer Evaluation Reports (OERs). His OERs from July 2007 to June 2009 both gave Hasan passing marks in the seven Army Values and twisted Hasan's violent Islamist extremist views in a positive light. One report stated, "His unique interests have captured the interest and attention of peers and mentors alike."[45] The only negative mark in either OER was the result of Hasan failing to take a physical training test.[46]

Nidal Hasan graduated from the USUHS fellowship in the summer of 2009 and was subsequently assigned to Fort Hood, Texas. In October he was selected for a deployment to Afghanistan. Despite Hasan's history of violent Islamist extremist views,

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[44] Lieberman and Collins, *A Ticking Time Bomb*, 33.

[45] Ibid.

[46] Ibid.

he would deploy to provide psychiatric care under stressful conditions in a combat zone in which the US military is battling violent Islamic extremists.[47] On November 5, 2009, twelve service members and one civilian employee of DOD lost their lives because Hasan was still in the military.[48]

The findings of this report concluded the Fort Hood attack could have been prevented, and placed the blame on two agencies, the DOD and the Federal Bureau of Investigation (FBI). For the purposes of this study, the preponderance of focus went to shortfalls in the DOD's ability to prevent this attack. However, one of the findings did reveal communication issues between DOD intelligence and law enforcement and the FBI. Both organizations had knowledge that MAJ Hasan was a potential threat, but each entity had information that painted a part of the full picture. Had that communication taken place, proper authorities could have taken the actions necessary to prevent the attack.

Chapter 3 of "A Ticking Time Bomb" provided the most useful information into the events and indicators in the years leading up to the November 5th attack. The investigation obtained the majority of its information for this chapter from Army Criminal Investigation Division (CID) reports and testimony from first-hand witnesses. In addition, the investigation gained access to Hasan's OERs and two Power Point class presentations Hasan prepared while attending a fellowship at Walter Reed Medical Center.

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[47] Lieberman and Collins, *A Ticking Time Bomb*, 34.

[48] Ibid.

In these reports and interviews, the investigation found multiple instances where Nidal Hasan overtly displayed his radicalization to violent Islamist extremism, and identified that his superiors failed to discipline him for his actions, failed to report him to Army counterintelligence (CI), and failed to seek discharge from the Army. While this information is all pertinent to the scope of this study, it fails to answer how the Army can best compel Soldiers to report. Although the investigation does not specifically mention TARP, it does lend some insight into the effectiveness, or in this case ineffectiveness, of the program. Lastly, this case study does not address TARP's goals and what it should provide.

## Education

The Army's primary method of education the force about insider threats is Army Regulation 381-12, Threat Awareness Reporting Program (TARP), dated 1 June 2016. It provides policy and responsibilities for threat awareness and education and establishes a requirement for Department of the Army personnel to report any incident of known or suspected espionage, international terrorism, sabotage, subversion, theft or diversion of military technology, information systems intrusions, and unauthorized disclosure of classified information, among others.[49] While TARP covers all matters of CI interest including those listed above, the scope of this paper focuses on TARP's training requirements, reporting requirements, and behavioral indicators of terrorist or extremist activities.

[49] US Department of the Army, Army Regulation (AR) 381-12, *Threat Awareness and Reporting Program* (Washington, DC: Government Printing Office, 2016), i.

Annual TARP training is required for all Department of the Army (DA) personnel.[50] This training must be conducted by a trained CI agent to a live audience unless the conditions are such live training is not possible.[51] In these cases, Soldiers must complete the online training that is available through the Army Learning Management System website.[52] The TARP training used is dictated by the Army G-2 and is standardized across the Army. This training is called the stand alone briefing tool (SBT). CI units will use the SBT to tailor TARP training to the audience and geographic area,[53] which does provide limited flexibility on behalf of the CI agents for what is briefed during the training. Aside from this annual briefing requirement, TARP does not specify any additional insider threat training that is allowed.

According to TARP, all DA personnel with knowledge of insider threat-related incidents must report these incidents to the proper CI authorities. Personnel who fail to report are subject to punishment under the Uniformed Code of Military Justice (UCMJ), as well as to adverse administrative or other adverse action authorized by applicable provisions of the United States Code (USC) or Federal Regulations.[54] Personnel not subject to the UCMJ who fail to report are subject to adverse administrative action or criminal prosecution as authorized by applicable provisions of the USC or Federal

[50] US Department of the Army, AR 381-12, 6.

[51] Ibid.

[52] Ibid., 7.

[53] Ibid., 6.

[54] Ibid., 9.

Regulations. In short, all DA employees are required to report. TARP Chapter 4 outlines the procedures for individuals to report CI incidents. They may make reports directly to their resident CI office, and should limit knowledge of an incident to those who have an absolute need to know.[55]

Chapter 3 of TARP lists the behavioral indicators of terrorist or extremist activities. These indicators are listed in the two tables below (Table 3-2, Indicators of potential international terrorist-associated insider threats; and Table 3-3, Indicators of extremist activity that may pose a threat to Department of Defense or disrupt US military operations).

[55] US Department of the Army, AR 381-12, 14.

**Table 3–2**
**Indicators of potential international terrorist-associated insider threats**

- Advocating support for international terrorist organizations or objectives.
- Expressing a hatred of American society, culture, government, or principles of the U.S. Constitution that implies support for or connection to an international terrorist organization.
- Advocating the use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature.
- Sending large amounts of money to persons or financial institutions in foreign countries.
- Expressing a duty to engage in violence against DOD or the United States in support of an international terrorist cause.
- Procuring supplies and equipment, purchasing bomb making materials, or obtaining information about the construction and use of explosive devices.
- Expressing support for persons or organizations that promote or threaten the unlawful use of force or violence.
- Advocating loyalty to a foreign interest over loyalty to the United States.
- Financial contribution or other material support to a foreign charity or other foreign cause linked to support to an international terrorist organization.
- Evidence of training with or attendance at training facilities of international terrorist organizations.
- Any attempt to recruit personnel on behalf of a known or suspected international terrorist organization or for terrorist activities.
- Familial ties or other close associations to known or suspected members of an international terrorist organization or those supporting terrorism.
- Repeated viewing, without official sanction, of Internet Web sites that promote or support international terrorist themes.*
- Posting comments or exchanging information, without official sanction, at Internet chat rooms, message boards, or blogs that promote the use of force directed against the United States.
- Joking or bragging about working for a foreign intelligence service or associating with international terrorist activities.

Legend for Table 3-2:
* Failure to report these matters may not form the sole basis for disciplinary action.

Figure 1. Indicators of potential international terrorist-associated insider threats

*Source:* US Department of the Army, Army Regulation (AR) 381-12, *Threat Awareness and Reporting Program* (Washington, DC: Government Printing Office, 2016), 11.

**Table 3–3**
**Indicators of extremist activity that may pose a threat to Department of Defense or disrupt U.S. military operations**

- Receiving financial assistance from a person who advocates the use of violence to undermine or disrupt U.S. military operations or foreign policy.
- Soliciting advice, encouragement, finances, training, or other resources from a person who advocates the use of unlawful violence to undermine or disrupt U.S. military operations or foreign policy.
- Making a financial contribution to a foreign charity, an organization, or a cause that advocates the use of unlawful violence to undermine or disrupt U.S. military operations or foreign policy.
- Expressing a political, religious, or ideological obligation to engage in unlawful violence directed against U.S. military operations or foreign policy.
- Expressing support for foreign persons or organizations that promote or threaten the use of unlawful force or violence to achieve political, ideological, or religious objectives.
- Participation in political demonstrations that promote or threaten the use of unlawful violence directed against the Army, DOD, or the United States based on political, ideological, or religious tenets, principles, or beliefs.

Figure 2. Indicators of extremist activity that may pose a threat to Department of Defense or disrupt US military operations

*Source:* US Department of the Army, Army Regulation (AR) 381-12, *Threat Awareness and Reporting Program* (Washington, DC: Government Printing Office, 2016), 12.

These tables from Chapter 3 of TARP include a comprehensive list of threat indicators that are required to be reported to CI personnel. With the exception of viewing unauthorized websites that promote or support international terrorism, failure to report any of these indicators could lead to adverse administrative or punitive actions. Although failure to report could lead to negative actions, instances of this being used could not be identified through available research.

In order to ensure effective implementation of TARP, AR 381-12 included an Internal Control Evaluation section in Appendix B. This evaluation, which is required annually each time a Command Inspection Program occurs, or at a minimum once every five years, certifies that a unit is following the procedures outlined in TARP. There are five questions that pertain directly to unit commanders at all levels, which are outlined below. Have Army commanders –

1. . Established procedures to ensure that TARP training is scheduled for members of their unit?
2. . Included the requirements of AR 381-12 as a mandatory subject in the organizational inspection program?
3. . Established a process to track TARP training in their units?
4. . Established a process to track TARP training on their installation, if appropriate?
5. . Maintained contact information for the supporting CI unit (identity of office, names of CI agents, phone numbers, and e-mail addresses)?[56]

[56] US Department of the Army, AR 381-12, 21.

AR 381-12 outlines TARP as the Army's primary method of educating and training the force to recognize and report potential insider threats. While it covers all CI matters, it does specifically address activities associated with Soldiers with possible ties to violent extremist or terrorist organizations. Its comprehensive list of behavioral indicators identify actions a Soldier may display prior to conducting an act of targeted violence against fellow service members. In addition, it clearly states the reporting requirements of all DA employees, and articulates possible repercussions for failure to report. While TARP lists some of the actions that are available to commanders, it is not an all-encompassing list of every action a commander may take. However, these additional actions are included in another regulation, AR 600-20, Army Command Policy.

## Options Available to Commanders

### Limitations on Information Sharing

One of the challenges commanders face with identifying potential threats within their formations is understanding what information about their Soldiers they are allowed to access. The two primary documents limiting the sharing of personal information are the Privacy Act of 1974 and the privacy regulations in the Health Insurance Portability and Accountability Act (HIPAA) of 1996. In August 2012 the DOD Defense Science Board released the Task Force Report: Predicting Violent Behavior. This study was one of several reviews that resulted from the killings that took place on November 5, 2009 at the Fort Hood, Texas Soldier Readiness Center.[57] In it, the study found that there is a lack

[57] Defense Science Board, *Task Force Report: Predicting Violent Behavior* (Washington, DC: Office of the Under Secretary of Defense for Acquisition, Technology

of clarity and understanding among commanders, supervisors, and healthcare providers regarding Privacy Act and HIPAA regulations on the releasability of information that may be relevant to documenting and reporting concerning behavior.[58] Part of the reason for this is the complexity of both the Privacy Act and HIPAA.

Predicting Violent Behavior identified that in many cases involving acts of targeted violence, the perpetrator displayed one or more of the following: contemplated harming himself or others; was in need of help due to stressful life circumstances; was otherwise isolated from his colleagues, depressed, or engaged in questionable associations or activities.[59] Relevant information might have been known to co-workers, family or friends, or even supervisors or commanders.[60] In some cases this information was known to medical or law enforcement personnel.[61] However, in many cases this information was ignored, suppressed, or otherwise failed to result in any type of action.[62] This is partially due to these different persons or organizations only having small pieces of the full informational picture. Had this information been shared, compiled, and analyzed by professionals it may have presented a compelling case for intervention.[63]

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and Logistics, 2012), 1.

[58] Defense Science Board, 1.

[59] Ibid., 7.

[60] Ibid.

[61] Ibid.

[62] Ibid.

[63] Ibid., 8.

Whether the limitations on information sharing are real or perceived, the lack of understanding leads to an abundance of caution and impedes information flow.[64] The default behavior is to not release any information that could potentially fall under the Privacy Act or HIPAA.[65]

## Organizational Relationships

The Privacy Act of 1974 and HIPAA are not the only factors that limit the sharing of information. Predicting Violent Behavior found that commanders and supervisors do not have sufficient visibility into personnel records of Soldiers transferring into their command. Each new assignment effectively represents a "clean slate" whereby behaviors of concern are not documented across assignments, patterns get lost, and prevention becomes significantly more difficult.[66] There is very little continuity of Soldier counseling or disciplinary actions that transfer to a new command during a permanent change of station (PCS) move.

The Task Force also found that the Military Departments, with the exception of the Army, currently operate a centralized, combined intelligence, CI, and law enforcement threat information sharing capability.[67] This separation of these key entities perpetuates failure and significantly limits an organization's ability to accurately access

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[64] Defense Science Board, 8.

[65] Ibid.

[66] Ibid.

[67] Ibid., 9.

the nature of any type of threat.[68] Predicting Violent Behavior recommends that the current relationship between the Army's Intelligence and Security Command (INSCOM), the Criminal Investigation Command (CID), and law enforcement should be revaluated with the goal of operating in a more integrated manner without inserting organizational boundaries as potential barriers to the rapid flow of relevant information.[69]

## Command Policy

The Army's doctrine for command policy is outlined in AR 600-20, dated 6 November 2014. The purpose of this regulation is to prescribe the policies and responsibilities of command, which include the Army Ready and Resilient Campaign (R2C) Plan, military discipline and conduct, the Army Equal Opportunity (EO) Program, and the Army Sexual Harassment/Assault Response and Prevention (SHARP) Program.[70] This regulation is divided into eight chapters: (1) Introduction, (2) Command Policies, (3) Ready and Resilient, (4) Military Discipline and Conduct, (5) Other Responsibilities of Command, (6) Equal Opportunity Program, (7) Prevention of Sexual Harassment, and (8) Sexual Assault Prevention and Response Program. This paper will focus on chapter 4, Military Discipline and Conduct, but will address other topics that help answer the research questions of what options are available to commanders and how to compel Soldiers to report.

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[68] Defense Science Board, 9.

[69] Ibid.

[70] US Department of the Army, Army Regulation (AR) 600-20, *Army Command Policy* (Washington, DC: Government Printing Office, 2014), 1.

The key elements of command are authority and responsibility.[71] It is the commander's overall responsibility to establish a climate within the unit that allows for the development of discipline and cohesion. In order to build a positive command climate, leaders must consider their Soldiers' needs and care for their well-being. Military discipline is maintained through the commander's authority of the use of the UCMJ. Commanders strive to use the full range of human potential in their organization and properly train their Soldiers to ensure both personnel and equipment are in the proper state of readiness at all times.[72]

All commanding officers and others in authority in the Army are required: to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; to take all necessary and proper measures, under the laws, regulations, and customs of the Army; and to promote and safeguard the moral, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.[73] In short, they are responsible for the overall well-being and good order and discipline of the unit.

Chapter 2 of Army Command Policy outlines command policies. Two of these policies that are potential options available to commanders are the use of open door

[71] US Department of the Army, AR 600-20, 2.

[72] Ibid.

[73] Ibid.

policies and performance counseling. Commanders are required to establish an open door policy within their commands.[74] The purpose of an open door policy is to ensure that the commander is made aware of problems that affect the discipline, moral, and mission effectiveness of a unit.[75] It allows members of the command to present facts, concerns, and problems of a personal or professional nature or other issues that the Soldier has been unable to resolve.[76] While commanders are responsible for establishing how the open door policy is implemented, Soldiers are responsible for utilizing it to bring matters to the commander. This is an important concept that will be discussed further in Chapter 4, Analysis, of this paper.

Another policy stated in Army Command Policy is performance counseling. Commanders need to ensure that all members of their command receive timely performance counseling.[77] Performance counseling can inform Soldiers and document on paper their expectations of performance. In addition, this is an opportunity for leaders to address any concerns in behavior that may be deemed unacceptable by the command and the Army.

Army Command Policy Chapter 3 addresses the Ready and Resilient Campaign (R2C). R2C is a far-reaching and comprehensive initiative to enhance individual and

[74] US Department of the Army, AR 600-20, 6.

[75] Ibid.

[76] Ibid.

[77] Ibid.

collective resilience in order to improve readiness across the Army.[78] This initiative integrates all of the external resources the Army can provide to improve physical, psychological, and emotional health.[79] R2C guides the Army's efforts in cultivating a holistic, multidisciplinary approach to health promotion.[80] This initiative integrates and synchronizes multiple Army-wide efforts to enhance individual performance and increase overall unit readiness.[81] R2C identifies mental health as a component of overall Soldier readiness. This will be discussed further in Chapter 4 of this paper, specifically in regards to the case study involving William Kreutzer, Jr and the mental health issues he faced.

The bulk of research into Army Command Policy regarding preventing insider threat direct action attacks falls into Army Command Policy Chapter 4, Military Discipline and Conduct. This chapter highlights the commander's responsibility to maintain good order and discipline in a unit and describes the commander's roles and responsibilities in this process. Military discipline will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority.[82] It is manifested in individuals and units by cohesion, bonding, and a spirit of teamwork; by smartness of appearance and action; by cleanliness and maintenance of dress, equipment, and quarters; by deference to seniors

[78] US Department of the Army, AR 600-20, 20.

[79] Ibid.

[80] Ibid.

[81] Ibid.

[82] Ibid., 23.

and mutual respect between senior and subordinate personnel; by the prompt and willing execution of both the letter and the spirit of the legal orders of their lawful commanders; and by fairness, justice, and equity for all Soldiers, regardless of race, religion, color, gender, and national origin.[83]

Ensuring the proper conduct of Soldiers is a function of command.[84] As such, commanders must take action consistent with Army regulations and in any case where a Soldier's conduct violates good order and discipline.[85] For minor infractions, Army Command Policy states that commanders should consider administrative corrective measures before deciding to impose nonjudicial punishment.[86] Ways this can be accomplished are through extra training, on-the-spot correction, or written counseling, to name a few. For more serious offenses, commanders may resort directly to UCMJ actions. If a Soldier commits a crime, commanders must submit a DA Form 4833 (Commander's Report of Disciplinary or Administrative Action) to the Provost Marshall's Office (PMO) within 45 days of notification.[87] In addition, if the Soldier holds a security clearance, the unit security manager must submit the DA Form 4833 to the

[83] US Department of the Army, AR 600-20, 23.

[84] Ibid.

[85] Ibid., 24.

[86] Ibid.

[87] Ibid.

DOD Consolidated Adjudication Facility via the Joint Personnel Adjudication System (JPAS).[88]

Regarding potential insider threats, section 4-12 of Army Command Policy covers extremist organizations and activities. This section reiterates that it is the commander's responsibility to maintain good order and discipline in the unit, and states that every commander has the inherent authority to take appropriate actions to accomplish this goal.[89] Section 4-12 identifies prohibited actions by Soldiers involving extremist organizations, discusses the authority of the commander to establish other prohibitions, and established that violations of prohibitions contained in this section or those established by the commander may result in prosecution under various provisions of the UCMJ.[90] Commanders must also use this section in conjunction with DOD Instruction (DODI) 1325.06 (Handling Dissident and Protest Activities Among Members of the Armed Forces).[91]

Army Command Policy states that military personnel must reject participation in extremist organizations and activities.[92] The following list defines extremist organizations or activities as ones that advocate –

1. . Racial, gender, or ethnic hatred or intolerance.

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[88] US Department of the Army, AR 600-20, 25.

[89] Ibid., 26.

[90] Ibid.

[91] Ibid.

[92] Ibid.

2. . Creating or engaging in illegal discrimination based on race, color, gender, religion, or national origin.
3. . The use of force or violence or unlawful means to deprive individuals of their rights under the United States Constitution or the laws of the United States, or any State.
4. . Support for terrorist organizations or objectives.
5. . The use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature.
6. . Expressing a duty to engage in violence against DOD or the United States in support of a terrorist or extremist cause.
7. . Support for persons or organizations that promote or threaten the unlawful use of force or violence.
8. . Encouraging military or civilian personnel to violate laws or disobey lawful orders or regulations for the purpose of disrupting military activities (subversion).
9. 9. Participating in activities advocating or teaching the overthrow of the US Government by force or violence, or seeking to alter the form of government by unconstitutional means (sedition).[93]

Any Soldier that participates any of the aforementioned activities is subject to punitive actions under the UCMJ. It is both the commander's authority and prerogative to prohibit military personnel from engaging in any other activities that the commander

[93] US Department of the Army, AR 600-20, 26.

determines will adversely affect good order and discipline or moral within the command.[94] The following are options that are available to the commander for dealing with a Soldier's violation of the prohibitions mentioned above:

1. UCMJ action – Possible violations include the following:
    a. Article 92 – Violation or failure to obey a lawful general order or regulation.
    b. Article 116 – Riot or breach of peace.
    c. Article 117 – Provoking speeches or gestures.
    d. Article 134 – General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting.
2. Involuntary separation for unsatisfactory performance or misconduct, or for conduct deemed prejudicial to good order and discipline or moral.
3. Reclassification actions or bar to reenlistment actions, as appropriate.
4. Other administrative or disciplinary action deemed appropriate by the commander, based on the specific facts and circumstances of the particular case.[95]

The nonjudicial punishment authority for commanders rests in Article 15, UCMJ and Part V, Military Manual for Courts-Martial (MCM).[96] The use of nonjudicial punishment is proper in all cases involving minor offenses in which non-punitive

[94] US Department of the Army, AR 600-20, 26.

[95] Ibid., 27.

[96] US Department of the Army, Army Regulation (AR) 27-10, *Military Justice* (Washington, DC: Government Printing Office, 2011), 3.

measures are considered inadequate or inappropriate.[97] Nonjudicial punishment is meant to be used by commanders as a corrective measure to fix behaviors. If a commander determines that the commander's authority under UCMJ, Article 15 is insufficient to impose a proper punishment, the case may be referred to an appropriate superior.[98] Table 3 illustrates the types of nonjudicial punishment under Article 15 and the maximum punishments available under each type.

**Maximum Punishments In Article 15**

| | Summarized | Company Grade | Field Grade |
|---|---|---|---|
| **Restriction** | 14 days | 14 days | 60 days |
| **Extra Duty** | 14 days | 14 days | 45 days |
| **Pay Forfeiture** | None | 7 days | ½ month for 2 months |
| **Rank Reduction (E4 & below)** | None | 1 grade | 1 or more grades |
| **Rank Reduction (E5 & E6)** | None | None | 1 grade |
| **Rank Reduction (E7 & up)** | None | None | None |

Note: If both restriction and extra duty are imposed they must be served at the same time. Pay forfeiture, restriction and extra duty may be all or partially suspended.

Figure 3. Maximum Punishments in Article 15

*Source:* Army Study Guide, accessed 24 January 2017, http://www.armystudyguide.com/content/army_board_study_guide_topics/military_justice/about-article-15.shtml.

[97] US Department of the Army, AR 27-10, 3.

[98] Ibid., 4.

According to Army Command Policy, it is the commander's responsibility to take positive actions to educate Soldiers and put them on notice of the potential adverse effects participation in extremist organizations and activities.[99] These positive actions include educating Soldiers regarding the Army's EO policy, and that extremist organizations' goals are inconsistent with Army goals, beliefs, and values.[100] In addition, commanders must advise Soldiers that participation in extremist organizations or activities will have negative effects on their careers. Some of these negative effects are reflections on their evaluation reports, potential removal of security clearances, reclassification actions, bars from reenlistment, or reports to law enforcement authorities.[101]

Commanders are also required to notify their supporting CI organization in cases where they know or suspect that Soldiers are engaging in activities specified above or when they become aware of any activities outlined in AR 381-12 (TARP). It is important for commanders to maintain contact information for their supporting CI unit.[102] In cases where a Soldier has a security clearance, commanders are required to ensure their unit security manager submits the derogatory information as an incident report in the JPAS.[103]

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[99] US Department of the Army, AR 600-20, 27.

[100] Ibid.

[101] Ibid.

[102] US Department of the Army, AR 381-12, 21.

[103] US Department of the Army, AR 600-20, 27.

Chapter 5 of Army Command Policy outlines other responsibilities of command. One of these other responsibilities are the command aspects of medical care, under which mental health requirements are referenced. When a commander determines it is necessary to refer a Soldier for a mental health evaluation, the commander will ensure compliance with the provisions of DODI 6490.01 (Mental Health Evaluations of members of the Armed Forces), which limits the use of mental health evaluations in situations where adversarial actions are involved.[104] According to DODI 6490.01, the responsibility for determining whether or not a referral for mental health evaluation should be made rests with the service member's designated commanding officer at the time of the referral.[105] If a Soldier through actions or words commits, attempts, or threatens the use of violence that is likely to cause serious injury to himself, herself, or others the commander shall refer that Soldier for an emergency mental health evaluation as soon as practically possible.[106] If a Soldier is determined not to meet retention standards, a medical board report shall be forwarded to the Services' Physical Evaluation Board for determination of fitness for continued military service.[107]

When a privileged mental healthcare provider makes a recommendation to the commander, the commanding officer shall make a written record of the actions taken and

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[104] US Department of the Army, AR 600-20, 37-38.

[105] US Department of Defense, Department of Defense Directive (DODI) 6490.1, *Mental Health Evaluations of Members of the Armed Forces* (Washington, DC: Government Printing Office, 2003), 2.

[106] Ibid., 3.

[107] Ibid., 6.

reasons therefore.[108] If the healthcare provider recommends that the Soldier be separated from the Army due to a personality disorder and a pattern of potentially dangerous behavior (more than one episode), that recommendation shall be co-signed by the mental healthcare provider's commanding officer.[109] The Soldier's commander then has the opportunity to follow or decline the healthcare provider's recommendations.

Other responsibilities of command discuss the accommodation of religious practices. This section states that commanders are required to accommodate Soldiers' worship, dietary, medical, and grooming practices in addition to wear and appearance of the uniform in accordance with their preferred religion.[110] However, these practices must not interfere with military operations or the good order and discipline of the unit. The remainder of Army Command Policy deals with the Army's Equal Opportunity Program (EO), Prevention of Sexual Harassment (POSH), and the Sexual Assault Prevention and Response Program (SHARP).

Overall, Army Command Policy and its supporting instructional references offer commanders a wide range of options when dealing with a Soldier who is a potential threat to fellow members in the unit. Some possible administrative actions are on-the-spot corrections, performance counseling, evaluations, administrative separations, reclassification, or bars to reenlistment. If the Soldier possesses a security clearance, the commander may have the clearance suspended or removed. Another option available to

[108] US Department of Defense, DODI 6490.1, 7.

[109] Ibid.

[110] US Department of the Army, AR 600-20, 45.

commanders is to refer the Soldier to Behavioral Health for a mental health evaluation. If deemed unfit for service, the Soldier may be separated from the Army for psychiatric means.

If necessary, the commander has the option of seeking punitive actions through the use of UCMJ. The four articles of UCMJ the Soldier could potentially face are: Article 92, failure to obey a lawful general order; Article 116, riot or breech of peace; Article 117, provoking speeches or gestures; and Article 134, general article, specifically conduct which is prejudicial to good order and discipline or service discrediting. Army Command Policy recommends that commanders seek administrative corrective measures first, but if the Soldier directly violates any of the articles of UCMJ stated above the commander has the option of going directly to punitive actions.

Lastly, the commander may refer the Soldier to law enforcement where a serious crime outside the commander's purview is committed. In any case, any of the indicators of violent or extremist activity outlined above or in AR 381-12 must be reported to the supporting counterintelligence unit. A failure to report is a failure to follow Army Command Policy.

## Chapter Summary

This chapter examined the literature available surrounding the two insider threat case studies of William Kreutzer, Jr. and Nidal Hasan, the Army's TARP requirements, potential friction points in the flow of information, and the responsibilities of command and options available to commanders as outlined in Army Command Policy in order to answer the primary research question: How does the Army compel Soldiers to report insider threats to the proper authorities? In both case studies, Army personnel had first-

hand knowledge of threat indicators as outlined in TARP and failed to report. In addition, commanders did not use the wide range of options available to them in the handling of high-risk individuals.

TARP is an all-inclusive regulation that covers the full spectrum of insider threats. The research in this paper focused on the Army's requirements for all Soldiers to report, the indicators of violent/extremist behavior, and the responsibilities of commanders in the implementation of TARP. Army Command Policy outlines the responsibilities of command and some options that are available to commanders to maintain good order and discipline in a unit. Commanders must also take into account privacy restrictions imposed on them by the Privacy Act of 1974 and HIPAA. Finally, the research discussed limitations on information sharing between different organizations. Information critical to identifying potential insider threats sometimes gets lost between Soldier PCS moves, as well as between the different organizations both inside and external to the Department of the Army.

In Chapter 3: Methodology, this paper will explain how the primary research question will be answered through examination of the two case studies and whether or not commanders exercised their given command authority.

# CHAPTER 3

# RESEARCH METHODOLOGY

## Chapter Introduction

This chapter serves to describe the steps to answer the primary research question: How does the Army compel Soldiers to report suspicious activity involving insider threats? Does the Army's mandatory Threat Awareness and Reporting Program (TARP) training effectively prevent direct action by insider threats? What are TARP's goals, and what should it provide? What options are available to commanders who identified potential insider threats within their organizations? Two case studies will be examined, focusing on the Fort Bragg shooting of October 27, 1995 and the Fort Hood shooting of November 5, 2009.

The study used a qualitative methodology with a case study research design in order to understand the complexities involved with countering insider threats. The large amount of data sources available lends itself to this type of research. Qualitative case study is an approach to research that facilitates exploration of a phenomenon within its context using a variety of data sources.[111] The phenomenon explored in this study is direct action attacks carried out by insider threats. In order to answer the primary and secondary research questions, research could not be limited to just understanding the circumstances of the two attacks. Army policies and regulations also had to be considered

[111] Pamela Baxter and Susan Jack. "Qualitative Case Study Methodology: Study Design and Implementation for Novice Researchers." *The Qualitative Report* 13, no. 4 (December 2008): 544, accessed 19 April 2017, http://www.nova.edu/ssss/QR/QR13-4/baxter.pdf.

when analyzing the two case studies, as these documents lay the foundation of countering insider threats. Case study analysis enables the researcher to gather data from a variety of sources and to converge the data to illuminate the case.[112]

## Why These Case Studies?

The Fort Bragg case study is useful because the shooter's motivations in this instance are not based on religious ideology or beliefs. Since the terrorist attacks on September 11, 2001, the majority of focus on insider threat direct action attacks have been primarily on identifying threats who have been radicalized in religious beliefs, either through self-radicalization or through external influence. However, it is important to highlight the fact that not all insider threats are based on fundamental Islamic extremism.

In this case Army Sergeant William Kreutzer had no ties to what would traditionally be called terrorist activities. Instead, Kreutzer lived a life of feeling like an outsider, and the stresses involved with this eventually led him to a state of mental instability. In the years and months leading up to the attack, Kreutzer repeatedly threatened to kill his fellow service members and superiors, but no one around him took him seriously. His commander at one point referred him to seek help from a psychiatrist, but the Army psychiatrist dismissed him as not a real threat. Despite all of the indicators, at no point was Kreutzer reported to Army CI or CID.

The Fort Hood case study is useful for this study because of the large amount of information available on it. The severity of this case is due in part to the large number of

[112] Baxter and Jack, 556.

casualties that resulted from Hasan's actions. As a result, follow-on investigations and reports eventually led to modifications in how the Army looked at dealing with insider threats.

This is a case where fundamental Islamic extremist beliefs did play a role in the motivations for the attack. Nidal Hasan openly stated he was a conscientious objector, and that he was not willing to deploy to fight in Muslim countries. He also stated on multiple occasions that he saw violence against Americans as justified due to what he perceived as a war against Islam. As with the Fort Bragg case study, there were multiple opportunities for Hasan's fellow Soldiers and commanders to act upon the violent indicators he displayed. However, his commanders took no action and failed to report him to Army CI or law enforcement agencies.

## Education

A key element of research for answering how the Army can compel Soldiers to report is understanding how Soldiers are trained and educated on reporting indicators of insider threat. The primary doctrine governing education on insider threats is Army Regulation 381-12, Threat Awareness and Reporting Program (TARP). This thesis will identify the training requirements outlined in TARP and try to determine if this mandatory training is sufficient enable Soldiers to not only recognize the indicators, but also to know to where and whom to report. This thesis will also identify what punishments, if any, are available should Soldiers fail to report.

## Options Available to Commanders

One of the main topics this thesis is designed to clarify is what options are available to commanders who identify they have a high-risk Soldier within their formation. Commanders put into this scenario face a dilemma. What is the threshold for reporting the Soldier to Army Counterintelligence? What are the effects on the unit if the Soldier's access to firearms is removed? If the Soldier is simply moved to another unit, what are the potential consequences? What kind of help from outside the organization, such as behavioral health counseling, is available? What are the legal restrictions facing the commander and how might the commander gain access to derogatory information from previous assignments?

This thesis will explore all of these questions through current Army doctrine and regulations, namely Army Command Policy, Conscientious Objection, Suspension of Favorable Personnel Actions, and Administrative Separations. In addition, this thesis will identify restrictions placed on the commander by the Privacy Act of 1974 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

## Analytical Model

In order to answer the primary research question and assess how the Army could have compelled reporting, each case study conducts a qualitative analysis of seven variables:

1. TARP indicators of potential international terrorist-associated insider threats[113];

[113] Department of the Army, AR 381-12, 11.

2. TARP indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations[114];
3. Participation in extremist organizations and activities as defined by Army Command Policy[115];
4. Possible UCMJ violations for participation in extremist organizations or activities[116];
5. Administrative actions available to commanders[117];
6. Punitive actions available to commanders[118]; and
7. Other actions available to commanders[119].

Each of the seven variables will be broken down into sub-variables, which are shown in Tables 1-7 below. The sub-variables will be assigned a (+) if it presented itself in the case study or a commander used that option that was available to him/her. A (-) will be assigned if this variable did not present itself or if the commander did not follow through with that particular action. This information will be used to determine two things: (1) Did the Soldier who committed an act of targeted violence present indicators of violent tendencies prior to the attack, and (2) Did the commander use all available

[114] Department of the Army, AR 381-12, 12.

[115] Department of the Army, AR 600-20, 26.

[116] Ibid., 27.

[117] Ibid., 6.

[118] Ibid., 27.

[119] Ibid., 35-37.

options available to try and prevent the attack? A subjective qualitative assessment will be made on each of the two case studies and be presented at the conclusion of chapter 4.

Table 1. Sub-variables of TARP Indicators of Potential International Terrorist-Associated Insider Threats

| **1. TARP indicators of potential international terrorist-associated insider threats** | | |
|---|---|---|
| Indicator | Kreutzer | Hasan |
| Advocating support for ITOs or objectives | | |
| Expressing a hatred of American society, culture, government, or principles of the US Constitution that implies support for or connection to an ITO | | |
| Advocating the use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature | | |
| Sending large amounts of money to persons or financial institutions in foreign countries | | |
| Expressing a duty to engage in violence against DOD or the United States in support of an international terrorist cause | | |
| Procuring supplies and equipment, purchasing bomb making materials, or obtaining information about the construction and use of explosive devices | | |
| Expressing support for persons or organizations that promote or threaten the unlawful use of force or violence | | |
| Advocating loyalty to a foreign interest over loyalty to the United States | | |
| Financial contribution or other material support to a foreign charity or other foreign cause linked to support to an ITO | | |
| Evidence of training with or attendance at training facilities of ITOs | | |
| Any attempt to recruit personnel on behalf of a known or suspected ITO or for terrorist activities | | |
| Familial ties or other close associations to known or suspected members of an ITO or those supporting terrorism | | |
| Repeated viewing, without official sanction, of Internet Web sites that promote or support international terrorist themes | | |
| Posting comments or exchanging information, without official sanction, at Internet chat rooms, message boards, or blogs that promote the use of force directed against the United States | | |
| Joking or bragging about working for a foreign intelligence service or associating with international terrorist activities | | |

*Source*: Created by author.

Table 2. Sub-variables of TARP Indicators of Extremist Activity

| **2. TARP Indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations** | | |
|---|---|---|
| Indicator | Kreutzer | Hasan |
| Receiving financial assistance from a person who advocates the use of violence to undermine or disrupt US military operations or foreign policy | | |
| Soliciting advice, encouragement, finances, training, or other resources from a person who advocates the use of unlawful violence to undermine or disrupt US military operations or foreign policy | | |
| Making a financial contribution to a foreign charity, an organization, or cause that advocates the use of unlawful violence to undermine or disrupt US military operations or foreign policy | | |
| Expressing a political, religious, or ideological obligation to engage in unlawful violence directed against US military operations or foreign policy | | |
| Expressing support for foreign persons or organizations that promote or threaten the use of unlawful force or violence to achieve political, ideological, or religious objectives | | |
| Participation in political demonstrations that promote or threaten the use of unlawful violence directed against the Army, DOD, or the United States based on political, ideological, or religious tenets, principles, or beliefs | | |

*Source*: Created by author.

Table 3. Sub-variables of Participation in Extremist Organizations and Activities as Defined by Army Command Policy

| **3. Participation in extremist organizations and activities as defined by Army Command Policy** | | |
|---|---|---|
| Participation or activity | Kreutzer | Hasan |
| Racial, gender, or ethnic hatred or intolerance | | |
| Creating or engaging in illegal discrimination based on race, color, gender, religion, or national origin | | |
| The use of force or violence or unlawful means to deprive individuals of their rights under the United States Constitution of the laws of the United States, or any State | | |
| Support for terrorist organizations or objectives | | |
| The use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature | | |
| Expressing a duty to engage in violence against DOD or the United States in support of a terrorist or extremist cause | | |
| Support for persons or organizations that promote or threaten the unlawful use of force or violence | | |
| Encouraging military or civilian personnel to violate laws or disobey lawful orders or regulations for the purpose of disrupting military activities (subversion) | | |
| Participating in activities advocating or teaching the overthrow of the US Government by force or violence, or seeking to alter the form of government by unconstitutional means (sedition) | | |

*Source*: Created by author.

Table 4. Sub-variables of UCMJ Violations

| **4. Possible UCMJ violations for participation in extremist organizations or activities** | | |
|---|---|---|
| UCMJ Violation Committed | Kreutzer | Hasan |
| Article 92: Violation or failure to obey a lawful general order or regulation | | |
| Article 116: Riot or breach of peace | | |
| Article 117: Provoking speeches or gestures | | |
| Article 134: General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting | | |
| | | |
| UCMJ Violation Prosecuted through Nonjudicial Punishment | Kreutzer | Hasan |
| Article 92: Violation or failure to obey a lawful general order or regulation | | |
| Article 116: Riot or breach of peace | | |
| Article 117: Provoking speeches or gestures | | |
| Article 134: General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting | | |

*Source*: Created by author.

Table 5. Sub-variables of Administrative Actions Available to Commanders

| **5. Administrative actions available to commanders** | | |
|---|---|---|
| Administrative action | Kreutzer | Hasan |
| On-the-spot corrections | | |
| Performance counseling (written) | | |
| Performance counseling (verbal) | | |
| Evaluation Reports | | |
| Extra training | | |
| Flag or bar to reenlistment | | |
| Reclassification | | |
| Reassignment | | |
| Involuntary separation for unsatisfactory performance or misconduct, or for conduct deemed prejudicial to good order and discipline or service discrediting | | |
| Submit an incident report in the JPAS | | |

*Source*: Created by author.

Table 6. Sub-variables of Punitive Actions Available to Commanders

| **6. Punitive actions available to commanders** | | |
|---|---|---|
| Punitive action prior to attack | Kreutzer | Hasan |
| Summarized Article 15 | | |
| Company Grade Article 15 | | |
| Field Grade Article 15 | | |
| Recommend Trial by Courts-Martial | | |

*Source*: Created by author.

Table 7. Sub-variables of Other Actions Available to Commanders

| **7. Other actions available to commanders** | | |
|---|---|---|
| Other actions available | Kreutzer | Hasan |
| Use of an open door policy | | |
| Command referral to Behavioral Health | | |
| Report to Army CI | | |
| Report to law enforcement | | |

*Source*: Created by author.

## Threats to Validity

There are several biases the author brings to this research. His experiences as a Battalion Intelligence Officer targeting violent extremists in Iraq, and as a Counterintelligence company commander, creates biases and threats to the "internal validity" in this research.

The selection of the two case studies, which will be discussed in detail in chapter 4, Data Presentation and Analysis, also brings some bias. These case studies were selected based off the amount of information available, the author's interest in the case studies, and the circumstances around the motivations of the attackers. The author did not want to pick case studies that are solely based around Islamic extremism in order to highlight the fact that potential insider threats can come from any demographic of service members. Due to the limited number of case studies analyzed, there is a threat to "external validity" based on generalizing conclusions from a sample of many potential case studies.

The final threat to validity is in the case studies themselves. In the time between the most recent case study and when this research was conducted, the Army updated its insider threat doctrine from Subversion and Espionage Directed Against the Army (SAEDA) to the Threat Awareness and Reporting Program (TARP). Part of this change was a direct result of the Fort Hood terrorist attack, and identifying the effectiveness of the new TARP is a secondary research question that will be difficult to answer.

## Chapter Summary

This chapter outlines two major case studies and current Army doctrine to answer the research question: How does the Army compel Soldiers to report suspicious activities involving insider threat? The case studies are SGT William Kreutzer, Jr and MAJ Nidal Malik Hasan. The Army doctrine and regulations are Army Command Policy, Suspension of Favorable Personnel Actions, and Administrative Separations, in addition to the Privacy Act of 1974 and HIPAA of 1996. These case studies and regulations will be analyzed to answer the research question and determine if current training is sufficient to prevent future insider threat direct action attacks.

In order to answer the primary research question and assess how the Army could have compelled reporting, each case study conducts will analyze the variables of:

1. TARP indicators of potential international terrorist-associated insider threats;
2. TARP indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations;
3. Participation in extremist organizations and activities as defined by Army Command Policy;
4. Possible UCMJ violations for participation in extremist organizations or activities;
5. Administrative actions available to commanders;
6. Punitive actions available to commanders; and
7. Other actions available to commanders.

Chapter 4, Data Presentation and Analysis, will examine these case studies and regulations in depth, followed by Chapter 5, Conclusions, where final recommendations will be presented.

# CHAPTER 4

# DATA PRESENTATION AND ANALYSIS

## Chapter Introduction

The primary research question for the following case studies is: How does the Army compel Soldiers to report activities associated with insider threat direct action attacks to the proper authorities? Secondary research questions that will be considered for these case studies are:

1. Does the Army's TARP training effectively prevent direct action attacks by insider threats?
2. What are TARP's goals, and what should it provide?
3. What actions are available to commanders who identify potential insider threats within their organizations?

Each case study will be qualitatively analyzed using seven variables that consist of indicators presented according to TARP and Army Command Policy, possible punitive violations as outlined by the UCMJ, along with administrative, punitive, and other actions that commanders either acted upon or failed to act upon. Each variable consists of multiple sub-variables that are derived from: AR 381-12, TARP; AR 600-20, Army Command Policy, and AR 27-10, Military Justice.

## Qualitative Analysis

Each of the seven variables used for this qualitative analysis contain several sub-variables. The first two variables (TARP indicators of potential international terrorist-associated insider threats and TARP indicators of extremist activity that may pose a

threat to the DOD or disrupt US military operations) contain the indicators of these types of threats as outlined in TARP, AR 381-12. Variable 3, Participation in extremist organizations and activities as defined by Army Command Policy, is broken down into the activities that indicate possible participation in extremist organizations. Variable 4 shows which articles of UCMJ were violated in each case study, as well as whether or not these violations of UCMJ were prosecuted through nonjudicial punishment. Variable 5 consists of administrative actions that were available to the commanders involved in these case studies, and Variable 6 are the punitive actions that commanders could have used. Variable 7 shows a list of other actions that were available to the commanders.

Each variable assessed in the case studies received a (+) or a (-) value to show whether or not the variable was present or used in each case study. For variables one through three, a (+) indicates the perpetrator of the attack displayed those behaviors prior to the attack. A (-) indicates the attacker did not display that behavior. Variable four is broken down into two parts. For the first part, a (+) indicates that the attacker violated that particular violation under the UCMJ. For the second part, a (+) indicates the commander prosecuted that UCMJ violation, while a (-) indicates the commander took no disciplinary action. Variables five through seven are actions that were available to the commanders in each case. A (+) indicates the commander used that option, while a (-) indicates the commander did not use that option available.

### Variable 1: TARP indicators of potential international terrorist-associated insider threats

Variable 1 consists of the fifteen different indicators of potential international terrorist-associated insider threats as outlined in TARP. The key word to highlight from

this variable is *international*, which implies ties to a foreign nexus. A foreign nexus, whether it be an organization, an individual, or an ideology, means these indicators fall under the purview of Army counterintelligence. In the case of William Kreutzer, he did not present any of the indicators associated with ties to an international terrorist organization (ITO).

However, Nidal Hasan did present seven out of the fifteen possible indicators. In the years leading up to the attack on Fort Hood, Hasan presented the following indicators that are reportable under TARP: advocating support for ITOs or objectives; expressing a hatred of American society, culture, government, or principles of the US Constitution that implies support for or a connection to an ITO; advocating the use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature; expressing a duty to engage in violence against DOD or the United States in support of an international terrorist cause; expressing support for persons or organizations that promote or threaten the unlawful use of force or violence; advocating loyalty to a foreign interest over loyalty to the United States; and repeated viewing, without official sanction, of Internet Web sites that promote or support international terrorist themes. The following table shows a comparison of these variables in the two case studies:

Table 8. TARP Indicators of Potential International Terrorist-Associated Insider Threats

| **1. TARP indicators of potential international terrorist-associated insider threats** | | |
|---|---|---|
| Indicator | Kreutzer | Hasan |
| Advocating support for ITOs or objectives | (-) | (+) |
| Expressing a hatred of American society, culture, government, or principles of the US Constitution that implies support for or connection to an ITO | (-) | (+) |
| Advocating the use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature | (-) | (+) |
| Sending large amounts of money to persons or financial institutions in foreign countries | (-) | (-) |
| Expressing a duty to engage in violence against DOD or the United States in support of an international terrorist cause | (-) | (+) |
| Procuring supplies and equipment, purchasing bomb making materials, or obtaining information about the construction and use of explosive devices | (-) | (-) |
| Expressing support for persons or organizations that promote or threaten the unlawful use of force or violence | (-) | (+) |
| Advocating loyalty to a foreign interest over loyalty to the United States | (-) | (+) |
| Financial contribution or other material support to a foreign charity or other foreign cause linked to support to an ITO | (-) | (-) |
| Evidence of training with or attendance at training facilities of ITOs | (-) | (-) |
| Any attempt to recruit personnel on behalf of a known or suspected ITO or for terrorist activities | (-) | (-) |
| Familial ties or other close associations to known or suspected members of an ITO or those supporting terrorism | (-) | (-) |
| Repeated viewing, without official sanction, of Internet Web sites that promote or support international terrorist themes | (-) | (+) |
| Posting comments or exchanging information, without official sanction, at Internet chat rooms, message boards, or blogs that promote the use of force directed against the United States | (-) | (-) |
| Joking or bragging about working for a foreign intelligence service or associating with international terrorist activities | (-) | (-) |

*Source*: Created by author.

## Variable 2: TARP indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations

Variable 2 consists of six indicators of extremist activity that may pose a threat to the United States or US military operations. As with Variable 1, Kreutzer did not display

any of the indicators of extremist activity as outlined in TARP. Nidal Hasan, on the other hand, displayed three of the six indicators: soliciting advice, encouragement, finances, training, or other resources from a person who advocates the use of unlawful violence to undermine or disrupt US military operations or foreign policy; expressing a political, religious, or ideological obligation to engage in unlawful violence directed against US military operations or foreign policy; and expressing support for foreign persons or organizations that promote or threaten the use of unlawful force or violence to achieve political, ideological, or religious objectives.

For the first variable, Hasan communicated with a known terrorist abroad on multiple occasions. Although the Army was unaware of these communications, the FBI monitored and tracked them. However, this information was never coordinated or passed to Army CI. In addition, Hasan tried to justify terrorism and stated support to foreign terrorist organizations in multiple class presentations. The following table shows a comparison of these variables in the two case studies:

Table 9. TARP Indicators of Extremist Activity That May Pose a Threat to the Department of Defense or Disrupt US Military Operations

| **2. TARP Indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations** | | |
|---|---|---|
| Indicator | Kreutzer | Hasan |
| Receiving financial assistance from a person who advocates the use of violence to undermine or disrupt US military operations or foreign policy | (-) | (-) |
| Soliciting advice, encouragement, finances, training, or other resources from a person who advocates the use of unlawful violence to undermine or disrupt US military operations or foreign policy | (-) | (+) |
| Making a financial contribution to a foreign charity, an organization, or cause that advocates the use of unlawful violence to undermine or disrupt US military operations or foreign policy | (-) | (-) |
| Expressing a political, religious, or ideological obligation to engage in unlawful violence directed against US military operations or foreign policy | (-) | (+) |
| Expressing support for foreign persons or organizations that promote or threaten the use of unlawful force or violence to achieve political, ideological, or religious objectives | (-) | (+) |
| Participation in political demonstrations that promote or threaten the use of unlawful violence directed against the Army, DOD, or the United States based on political, ideological, or religious tenets, principles, or beliefs | (-) | (-) |

*Source*: Created by author.

## Variable 3: participation in extremist organizations and activities as defined by Army Command Policy

Variable 3 consists of nine indicators associated with participation in extremist organizations and activities as defined by Army Command Policy. Any commander with a Soldier who displays any of these indicators is required to act on them in order to maintain the good order and discipline of the unit. William Kreutzer did display one of these indicators on multiple occasions: the use of force or violence or unlawful means to deprive individuals of their rights under the US Constitution or the laws of the United States, or any State. He did this when he openly made threats to kill fellow Soldiers.

Nidal Hasan presented five of the nine indicators outlined in Army Command Policy: the use of force or violence or unlawful means to deprive individuals of their rights under the US Constitution or the laws of the United States, or any State; support for terrorist organizations or objectives; the use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature; expressing a duty to engage in violence against DOD or the United States in support of a terrorist or extremist cause; support for persons or organizations that promote or threaten the unlawful use of force or violence. The following table shows a comparison of these variables in the two case studies:

Table 10. Participation in Extremist Organizations and Activities as Defined by Army Command Policy

| **3. Participation in extremist organizations and activities as defined by Army Command Policy** | | |
|---|---|---|
| Participation or activity | Kreutzer | Hasan |
| Racial, gender, or ethnic hatred or intolerance | (-) | (-) |
| Creating or engaging in illegal discrimination based on race, color, gender, religion, or national origin | (-) | (-) |
| The use of force or violence or unlawful means to deprive individuals of their rights under the United States Constitution of the laws of the United States, or any State | (+) | (+) |
| Support for terrorist organizations or objectives | (-) | (+) |
| The use of unlawful violence or force to achieve goals that are political, religious, or ideological in nature | (-) | (+) |
| Expressing a duty to engage in violence against DOD or the United States in support of a terrorist or extremist cause | (-) | (+) |
| Support for persons or organizations that promote or threaten the unlawful use of force or violence | (-) | (+) |
| Encouraging military or civilian personnel to violate laws or disobey lawful orders or regulations for the purpose of disrupting military activities (subversion) | (-) | (-) |
| Participating in activities advocating or teaching the overthrow of the US Government by force or violence, or seeking to alter the form of government by unconstitutional means (sedition) | (-) | (-) |

*Source*: Created by author.

Variable 4: Possible UCMJ violations for participation
in extremist organizations or activities

There are four articles of UCMJ that pertain to the previous three variables used in this analysis. They are: Article 92, violation or failure to obey a lawful general order or regulation; Article 116, riot or breach of peace; Article 117, provoking speeches or gestures; and Article 134, general article, specifically, conduct which is prejudicial to good order and discipline or service discrediting. In both case studies, the perpetrators violated more than one of the articles of UCMJ previously mentioned. Kreutzer violated Articles 117 and 134, while Hasan violated Articles 92, 117, and 134. In both case studies, no commander at any level pursued nonjudicial punishment for violation of any of these articles, as seen in the table below:

Table 11. Possible UCMJ Violations for Participation
in Extremist Organizations or Activities

| **4. Possible UCMJ violations for participation in extremist organizations or activities** | | |
|---|---|---|
| UCMJ Violation Committed | Kreutzer | Hasan |
| Article 92: Violation or failure to obey a lawful general order or regulation | (-) | (+) |
| Article 116: Riot or breach of peace | (-) | (-) |
| Article 117: Provoking speeches or gestures | (+) | (+) |
| Article 134: General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting | (+) | (+) |
| | | |
| UCMJ Violation Prosecuted through Nonjudicial Punishment | Kreutzer | Hasan |
| Article 92: Violation or failure to obey a lawful general order or regulation | (-) | (-) |
| Article 116: Riot or breach of peace | (-) | (-) |
| Article 117: Provoking speeches or gestures | (-) | (-) |
| Article 134: General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting | (-) | (-) |

*Source*: Created by author.

## Variable 5: Administrative actions available to commanders

Variable 5 looks at all of the administrative actions that were available to the commanders involved in both case studies. These options are primarily outlined in Army Command Policy and TARP, but some are also derived from other Army regulations. For this analysis, ten different options were used to determine which ones the commanders used in each case study. In the Kreutzer case study, information on all ten variables was not available. However, in the information that was available, it was found that only two administrative actions were used: performance counseling (verbal) and reassignment. The effectiveness of these two administrative actions (or lack thereof) is apparent, but will be discussed further in Chapter 5. In the Hasan case study, only three of the ten administrative actions were used: on-the-spot corrections, performance counseling (verbal), and extra training. The comparison of administrative actions used in the two case studies are shown in the table below:

Table 12. Administrative Actions Available to Commanders

| **5. Administrative actions available to commanders** | | |
|---|---|---|
| Administrative action | Kreutzer | Hasan |
| On-the-spot corrections | * | (+) |
| Performance counseling (written) | * | * |
| Performance counseling (verbal) | (+) | (+) |
| Evaluation Reports | * | (-) |
| Extra training | * | (+) |
| Flag or bar to reenlistment | (-) | (-) |
| Reclassification | (-) | (-) |
| Reassignment | (+) | (-) |
| Involuntary separation for unsatisfactory performance or misconduct, or for conduct deemed prejudicial to good order and discipline or service discrediting | (-) | (-) |
| Submit an incident report in the JPAS | (-) | (-) |

*Information not available in the research.

*Source*: Created by author.

## Variable 6: Punitive actions available to commanders

There are four levels of punitive actions commanders can utilize for violations of UCMJ. The level of punitive action would be determined by the commander based off the severity of the actions or violations of UCMJ the Soldier committed. Summarized Article 15, Company Grade Article 15, and Field Grade Article 15's are used as corrective measures to fix Soldier deficiencies. When a commander deems the severity of an offense warrants more severe punishment, he/she may recommend a trial by courts-martial.

In the case of William Kreutzner, all four of these levels of punitive actions could have been used. However, Kreutzer did not face any nonjudicial punishment prior to his attack on Fort Bragg. Nidal Hasan's commanders did not have all four options available to them. Due to Hasan's rank, any nonjudicial punishment would be a minimum of a Field Grade Article 15. As with the Kreutzer case, Hasan did not face any nonjudicial punishment for his actions prior to the attack on Fort Hood. The punitive actions available to the commanders in both case studies are listed in the table below:

Table 13. Punitive Actions Available to Commanders

| **6. Punitive actions available to commanders** | | |
|---|---|---|
| Punitive action prior to attack | Kreutzer | Hasan |
| Summarized Article 15 | (-) | N/A |
| Company Grade Article 15 | (-) | N/A |
| Field Grade Article 15 | (-) | (-) |
| Recommend Trial by Courts-Martial | (-) | (-) |

*Source*: Created by author.

Variable 7: Other actions available to commanders

The research in this study found five additional options that are available to commanders when they identify potential insider threats within their formations. The first is the use of an open door policy. Having an open door policy is mandated by Army Command Policy. It allows Soldiers the opportunity to address issues within a unit that may impact the outcome of the unit's mission or morale. On the reverse side of that, Soldiers are required to bring matters to the attention of the command that may have a negative impact on the unit. Information about the use of the commander's open door policy was not available for the Kreutzer case study, but in the Hasan case study the open door policy was used by several of Hasan's classmates while he attended his fellowship.

The second option in this variable is to command refer a Soldier to behavioral health. According to Army Command Policy, when a Soldier makes statements that threaten the use of violence or intent to inflict grave harm on their fellow Soldiers commanders are required to refer the Soldier to Behavioral Health Services for a psychiatric evaluation. In the case of William Kreutzer, his commander did make the command referral. However, the psychologist determined that Kreutzer was not a legitimate threat. Nidal Hasan's commanders never referred him to behavioral health.

The last two options under "other actions" available to commanders are to report the potential insider threat to Army CI or to law enforcement. Commanders, or fellow Soldiers for that matter, did not report neither Kreutzer nor Hasan to CI personnel or to law enforcement. Other actions used by commanders in the two case studies are presented in the table below:

Table 14. Other Actions Available to Commanders

| 7. Other actions available to commanders | | |
|---|---|---|
| Other actions available | Kreutzer | Hasan |
| Use of an open door policy | * | (+) |
| Command referral to Behavioral Health | (+) | (-) |
| Report to Army CI | (-) | (-) |
| Report to law enforcement | (-) | (-) |

*Information not available in the research.

*Source*: Created by author.

## Chapter Summary

Overall, both Kreutzer and Hasan presented indicators of potential insider threats that should have been acted upon by their commanders and fellow Soldiers. Both Soldiers in these cases violated articles punishable under UCMJ. Commanders in both cases used some of the administrative actions available to them to deal with these threats, but in neither case did they use their command authority to initiate punitive actions in the form of nonjudicial punishment. The table of overall results, shown below, illustrates that while Hasan's tendencies of insider threat were more prevalent than Kreutzer, both Soldiers presented enough indicators for commanders to act on them.

Table 15. Overall Case Study Comparison Results

| **Overall Results** | | |
|---|---|---|
| Variables | Kreutzer | Hasan |
| 1. TARP Indicators of potential international terrorist-associated insider threats | (-) | (+) |
| 2. TARP Indicators of extremist activity that may pose a threat to the Department of Defense or disrupt US military operations | (-) | (+) |
| 3. Participation in extremist organizations and activities as defined by Army Command Policy | (+) | (+) |
| 4. Possible UCMJ violations for participation in extremist organizations or activities | (+) | (+) |
| 5. Administrative actions available to commanders used | (+) | (+) |
| 6. Punitive actions available to commanders used | (-) | (-) |
| 7. Other actions available to commanders used | (+) | (+) |

*Source*: Created by author.

The primary research question is answered in two primary sources, TARP and Army Command Policy. Soldiers are compelled to report indicators of insider threat through regulatory guidance that is supposed to be enforced through the use of UCMJ. However, the findings of this analysis indicate that although indicators were observed in both case studies, Soldiers did not report to Army CI or law enforcement and commanders did not take any punitive actions available to them.

TARP alone provided the necessary information to identify the threat indicators with Nidal Hasan. However, due to the fact that Kreutzer did not have any foreign connections or ties to terrorist organizations, his actions were technically not reportable under TARP as it stands today. His threats were disturbing and they did lead to a command referral to behavioral health, but he was subsequently cleared by a mental health professional. Kretzer presented a clear insider threat in the basic sense but did so in a manner that is not reportable to Army CI.

# CHAPTER 5

# CONCLUSIONS AND RECOMMENDATIONS

## Chapter Introduction

The primary research question of this thesis was: How does the Army compel Soldiers to report suspicious activity associated with insider threats? The initial hypothesis was: more training can be successful to reduce attacks. This training should focus on two areas. First, soldiers and commanders need training to recognize when potential insider threats are marginalized within their organizations, and how they can bring these soldiers back into the fold. If soldiers are accepted for who they are and brought into the cohesiveness of a team, they will be less likely to feel the need to commit an act of violence against their peers. Second, training can help compel soldiers to report suspicious behavior to their command or proper authorities. In order to answer this question, two case studies were examined:

1. The Fort Bragg shooting of 27 October 1995 (Kreutzer).
2. The Fort Hood shooting of 5 November 2009 (Hasan).

Each case study used a qualitative analysis of seven variables: TARP indicators of terrorist-associated insider threats, TARP indicators of extremist activities, participation in extremist activities as identified in Army Command Policy, violations of the UCMJ, administrative actions available to commanders, punitive actions available to commanders, and other actions available to commanders (see table 16).

## Conclusions

Prior to beginning this research project, the initial hypothesis, that more insider threat training would increase reporting and therefore reduce attacks, was based on observations that the Army only requires insider threat training once annually. It was assumed that the current method of training generally consists of a unit receiving their annual TARP brief in an auditorium-like setting, in conjunction with a plethora of other AR 350-1 mandatory training. This environment is not conducive to Soldiers retaining the information, which lends itself to TARP becoming an afterthought in the minds of Soldiers. In addition, it was assumed that commanders, especially at the company level, do not have a thorough understanding of the options available to them when they come across a Soldier within their formations that display indicators of potential insider threats. While these assumptions remain true, through the analysis of the two case studies, a more complicated picture emerges.

As identified in the Fort Hood case study, MAJ Nidal Hasan presented several of the indicators of insider threat that are outlined in TARP. While current TARP does provide a comprehensive list of the indicators of violent attacks by insider threats, it lacks the identification of potential lone wolf attacks with no ties to a foreign actor or ideology. The nature of TARP indicators all have ties to a foreign nexus, which falls under the purview of Army CI. However, as with the case of William Kreutzer, the indicators he presented do not exactly line up with those outlined in TARP. Therefore, had the Soldiers in Kreutzer's unit reported his actions to Army CI, any initial inquiry into his case would not have resulted into a full investigation because of a lack of a foreign nexus. Even

though Kreutzer clearly presented himself as a threat, CI officials would have been powerless to act.

Although TARP does not specifically address insider threats such as Kreutzer, another Army regulation does address these types of threats. Army Command Policy identifies Soldiers such as Kreutzer as potential threats through participation in extremist organizations or activities. This is specifically addressed as the use of force or violence or unlawful means to deprive individuals of their rights under the United States Constitution or the laws of the United States, or any State. If strictly interpreted, this could apply only to those who actually carry out the use of force or violence, not those who only carry out threats. However, Army Command Policy addresses this by stating how commanders are responsible for maintaining good order and discipline within the unit. Any threats of force or violence could be seen as detrimental to maintaining good order and discipline, and therefore provide a means for the commander to act on those threats.

Another finding the research provided was that Soldiers who fail to report potential insider threats are subject to punitive actions under the UCMJ. Although this is explicitly stated in Army doctrine, there were no UCMJ actions reported for Soldiers who failed to report in either case study. This brings up a potential dilemma for commanders. Even though punitive actions are available to commanders for Soldiers who fail to report, should they even use this option to compel Soldiers to report? How will punishing additional Soldiers affect the moral of a unit that already potentially fell victim to a direct action attack? Is the legal evidence present to follow through with such actions? The conclusion is that punitive actions may not be the best approach to compelling Soldiers to report potential insider threats.

Other options available include reinforcement of the commander's open door policy. If a commander sets the climate of transparency and fairness in the organization, Soldiers may be more willing to use the open door policy to bring issues to the command. Once an insider threat issue is brought to the command's attention, they are required to act on this information to maintain the good order and discipline in the unit. They can bring the Soldier in to talk to them and potentially find out why they feel the way they do. If actual threats are made, the commander can command refer the Soldier to behavioral health for a mental health evaluation. Another option is to administratively separate the Soldier for unsatisfactory performance or misconduct.

If the commander determines the Soldier's statements or threats are correctable, he/she may opt for nonjudicial punishment of the Soldier to put them on notice. However, separation from the Army is always an option if the commander does not feel as if the Soldier's actions will be resolved through punitive actions. For repeated or more serious offenses, the commander may recommend a trial by courts-martial. In any case, there are several options the commander could use to address threats made by a potential insider threat. The case studies found however that very few of the available options are used.

The final conclusion of this study found that current training requirements for both Soldiers across the Army and commanders are not sufficient to properly address all forms of direct action insider threats. TARP specifically has two shortfalls: First, that due to the counterintelligence-leaning viewpoints on insider threats, it does not address those Soldiers who have no connections to a foreign nexus, but are rather simply disenfranchised with their unit and the Army and do not have a sufficient coping mechanism; and second, that annual training conducted in a large auditorium setting is

not necessarily the best way to familiarize and reinforce identifying behavioral indicators of insider threats. In addition commanders, particularly at the company level, are not properly trained on all of the options available to them to address issues with good order and discipline in their units. While Army Command Policy does lay these options out, there is no formalized training on the matter in Army pre-command courses at the company level.

## Recommendations

In order for the Army to better compel Soldiers to report, the author's recommendations focus on addressing ways to improve the education of Soldiers and commanders on insider threats through training. This thesis proposes two areas of training that could be implemented across the Army. First, the annual TARP requirement is not sufficient. To address this, it is recommended the Army add quarterly TARP training in the form of scenario-based training as part of the Ready and Resilient Campaign (R2C). Similarly to the implementation of SHARP training, scenario-based training conducted at the unit level would supplement the annual requirement that a CI special agent provides during their required unit briefs. This training would help Soldiers identify the behavioral indicators of not only insider threats with a foreign nexus, but also those indicators of Soldiers such as Kreutzer who threaten the use of force or violence against fellow service members. In addition, this training would discuss the importance of bringing disenfranchised Soldiers back into the fold and ways to accomplish this. Training focused on all-inclusive unit cohesion would help Soldiers who feel neglected or abandoned by their unit a sense of purpose and welcomed inclusiveness. As part of R2C, unit commanders could enlist the help of behavioral health experts to aid in the training.

The second area of training would be to add a combined TARP/Army Command Policy block of instruction to the Company Commanders and First Sergeant's Course conducted at the installation level. This training should focus on how to identify potential insider threats within their organizations, as well as educate leaders on the options that are available to them as outlined in TARP and Army Command Policy. These options should cover the wide array of administrative and punitive actions as outlined in this paper, as well as how to seek advice from behavioral health, legal, and other resources the Army can provide.

## Areas for Further Study

One potential area for future study on this topic is to research ways to improve information sharing across different organizations within the Department of the Army. As it currently stands, Army INSCOM, CID, and other law enforcement agencies all have similar goals of preventing violent direct action attacks carried out by service members. The Department of the Navy has the Naval Criminal Investigative Service (NCIS) and the Air Force has the Office of Special Investigations (OSI). Yet the Army is the only major service without a centralized intelligence, counterintelligence, and law enforcement agency. Further research into this topic could potentially lead to Doctrine, Organization, Training, Materiel, Leadership, Personnel, Facilities, and Policy (DOTMLPF-P) changes in the Army to streamline information flow and investigations into potential insider threats.

This study also assumed that while not all insider direct action attacks were the result of Islamic Extremist views, these types of views are the driving force behind the vast majority of insider threats, particularly after September 11, 2001. The wars in Iraq

and Afghanistan are sources of internal strife for some Muslim service members, which when combined with perceived prejudices or unfair treatment can lead to self-radicalization and eventually an attack. Further study into this trend could yield some useful insights into how to counter the radicalization of Muslim Soldiers, which was not specifically addressed in this study.

## Summary

Current Army doctrine and regulations provide the means to properly identify and counter direct action attacks carried out by insider threats. However, the training given to Soldiers and commanders to educate them on these regulations is not sufficient to compel them to report in all cases. The Fort Bragg shooting of 1995 and the Fort Hood shooting of 2009 both highlight these training deficiencies. Allowing commanders at the unit level to incorporate TARP training into their own training plans in the form of small group scenario-based training will help reinforce not only the importance of TARP, but will help them build unit cohesion and bring disenfranchised Soldiers back into the fold. In addition, training commanders on the full range of options available to them during pre-command courses will enable them to make informed decisions when they have to deal with a potential insider threat within their organization.

# GLOSSARY

Extremist Activity. An activity that involves the use of unlawful violence or the threat of unlawful violence directed against the Army, DOD, or the United States based on political, ideological, or religious tenets, principles, or beliefs.

Insider Threat. US service members or DOD employees who plan or carry out direct action attacks on fellow Soldiers and DOD employees with the intent to inflict loss of life through violent means.

Targeted Violence. Pre-meditated attacks against specific individuals, populations, or facilities with perpetrators engaged in behaviors that precede and are related to their attacks.

Terrorism. The calculated use of violence or threat of violence to inculcate fear, intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological.

Threat. According to AR 381-12, the activities of foreign intelligence services, foreign adversaries, international terrorist organizations, or extremists that may pose a danger to the Army, DOD, or the United States; any person with access to Soldiers, DOD installations, and facilities who may be positioned to compromise the ability of a unit to accomplish its mission where there is evidence to indicate that he may be acting on behalf of or in support of foreign Intelligence, foreign adversaries, international terrorists, or extremist causes.

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